S.B.CRIMINAL MISC. BAIL APPLICATION NO.3872/06

Date : 06.09.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Sandeep Mehta for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that applicant is father-in-law of the complainant and infact a false complaint has been filed against him. According to learned counsel, in the divorce petition filed by the husband, even in the statement of the complainant recorded before the court she has stated about some incident relating to the year 1996 but there appears nothing in the statement to show that behaviour of father-in-law was cruel towards the complainant. He further submits that infact the complainant is residing separately and the fact of the matter is that father-in-law gave house to the complainant and her husband to live in at

Hanumangarh. In

last, he submits that the applicant is an old person, therefore, he should be given benefit of anticipatory bail.

On the other hand, learned Public Prosecutor has opposed the bail application and submitted that there appears allegations in the statement of the complainant against the father-in-law also.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to grant anticipatory bail to the applicant. Accordingly, it is directed that in the event of arrest of applicant Girish Dutt Sharma son of Dariya Prasad Sharma by I.O./S.H.O. in FIR No.75/2006 P.S. Mahila Thana, Sri Ganganagar, he shall be released on bail provided he furnishes a personal bond in the

sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.

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